



# Learner Travel (Wales) Measure 2008

## 2008 nawm 2

### LEARNER TRAVEL (WALES) MEASURE 2008

#### *Main terms*

- 1 Main terms used in this Measure

#### *Learner travel arrangements*

- 2 Duty to assess learner travel needs
- 3 Local authority duty to make transport arrangements
- 4 Local authority duty to make other travel arrangements
- 5 Limits of learner travel duties
- 6 Power of local authorities to make learner travel arrangements
- 7 Travel arrangements for learners in post-16 education or training
- 8 Travel arrangements to and from nursery education
- 9 Learner travel arrangements not to favour certain types of education or training

#### *Promoting access to Welsh medium education*

- 10 Promoting access to education and training through the medium of the Welsh language

#### *Sustainable modes of travel*

- 11 Sustainable modes of travel

#### *Travel behaviour code*

- 12 Travel behaviour code
- 13 Enforcement of travel behaviour code: pupils at relevant schools
- 14 Enforcement of travel behaviour code: withdrawal of travel arrangements

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*Changes to legislation:* Learner Travel (Wales) Measure 2008 is up to date with all changes known to be in force on or before 21 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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*Safety on learner transport*

- 14A Requirement for seat belts on buses used for learner transport
- 14B Further provision as to descriptions of vehicle that may be used for learner transport
- 14C Recording visual images or sound on learner transport
- 14D Safety risk assessment of learner transport
- 14E Driver training
- 14F Supervisors on learner transport
- 14G Civil sanctions
- 14H Enforcement authority
- 14I Power of entry
- 14J Power of inspection
- 14K Power to require provision of information
- 14L Offences: liability of officers and partners
- 14M Regulations: consultation
- 14N Interpretation of sections 14A to 14K

*Supplementary*

- 15 Guidance and directions
- 16 Information about travel arrangements
- 17 Co-operation: information or other assistance
- 18 Payment of travel costs by a local authority which looks after a child
- 19 Determination of ordinary residence in particular circumstances
- 20 Amendments to section 444 of the Education Act 1996
- 21 Amendments to the Education Act 2002
- 22 Amendments to sections 455 and 456 of the Education Act 1996
- 23 Amendments to the Education and Inspections Act 2006

*General*

- 24 General interpretation
- 25 Minor and consequential amendments
- 26 Repeals
- 27 Orders and regulations
- 28 Commencement
- 29 Short title and inclusion of Measure within the Education Acts

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SCHEDULE A1 — CIVIL SANCTIONS

*Civil sanctions*

- 1 (1) Regulations may make provision about civil sanctions for breaches...

*Fixed monetary penalties*

- 2 (1) The regulations may make provision conferring on an enforcement...

*Fixed monetary penalties: procedure*

- 3 (1) Provision under paragraph 2 must secure that—

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*Discretionary requirements*

- 4 (1) The regulations may make provision conferring on an enforcement...

*Discretionary requirements: procedure*

- 5 (1) Provision under paragraph 4 must secure that—

*Discretionary requirements: enforcement*

- 6 (1) Provision under paragraph 4 may include provision for a...

*Stop notices*

- 7 (1) The regulations may confer on an enforcement authority the...

*Stop notices: procedure*

- 8 (1) Provision under paragraph 7 must secure the results in...

*Stop notices: compensation*

- 9 (1) Provision under paragraph 7 conferring power on an enforcement...

*Stop notices: enforcement*

- 10 (1) Provision under paragraph 7 conferring power on an enforcement...

*Enforcement undertakings*

- 11 (1) The regulations may make provision— (a) to enable an...

*Combination of sanctions*

- 12 Provision may not be made under the paragraphs specified in...

*Monetary penalties*

- 13 (1) If the regulations confer power on an enforcement authority...

*Costs recovery*

- 14 (1) Provision under paragraph 4 may include provision for an...

*Appeals*

- 15 (1) The regulations may not provide for the making of...

*Publicity for imposition of civil sanctions*

- 16 (1) The regulations may make provision enabling an enforcement authority...

*Persons liable to civil sanctions*

- 17 The regulations may make provision about the persons liable to...

*Guidance as to use of civil sanctions*

- 18 (1) Where power is conferred on an enforcement authority by...

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*Publication of enforcement action*

- 19 (1) Where power is conferred on an enforcement authority by...

*Compliance with regulatory principles*

- 20 An enforcement authority must act in accordance with the principles...

*Review*

- 21 (1) The Welsh Ministers must in accordance with this paragraph...

*Suspension*

- 22 (1) Where provision has been made by the Welsh Ministers...

*Payment of penalties into Welsh Consolidated Fund*

- 23 Where pursuant to any provision made under this Schedule an...

SCHEDULE 1 — MINOR AND CONSEQUENTIAL AMENDMENTS

*Public Passenger Vehicles Act 1981 (c. 14)*

- 1 In section 46 of the Public Passenger Vehicles Act 1981...

*Transport Act 1985 (c. 67)*

- 2 (1) Section 6 of the Transport Act 1985 (registration of...

*Further and Higher Education Act 1992 (c. 13)*

- 3 (1) Section 57 of the Further and Higher Education Act...

*Education Act 1996 (c. 56)*

- 4 (1) The Education Act 1996 is amended as follows.

*Childcare Act 2006 (c. 21)*

- 5 In section 110(5)(a) of the Childcare Act 2006, for “20...

SCHEDULE 2 — REPEALS

**Changes to legislation:**

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[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 1 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 1(4)(g) words substituted by [2022 asc 1 Sch. 4 para. 23\(2\)](#)
- s. 2 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 3 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 4 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 5 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 6 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 7 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 7(1)(b)(ii) words inserted by [2022 asc 1 Sch. 4 para. 23\(3\)\(a\)](#)
- s. 8 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 9 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 10 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 11 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 12 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 13 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 14 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 15 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 16 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 17 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 18 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 19 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 20 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 21 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 22 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 23 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 24 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 24(1) words omitted by [2013 anaw 1 Sch. 5 para. 25\(2\)](#)
- s. 25 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- s. 26 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- Sch. A1 para. 10(2) words substituted by [2020 c. 17 Sch. 24 para. 443\(2\)](#) (This amendment not applied to legislation.gov.uk. It relates to the Welsh text version only)
- Sch. A1 para. 10(2) words substituted by [S.I. 2022/500 reg. 5\(3\)Sch. Pt. 3](#)
- Sch. A1 para. 10(1)(a) words substituted by [S.I. 2023/149 reg. 19\(2\)](#) (Amendment to Welsh text only)
- Sch. A1 para. 10(2) words substituted by [S.I. 2023/149 reg. 19\(3\)](#) (Amendment to Welsh text only)
- Sch. 1 para. 1 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- Sch. 1 para. 2 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- Sch. 1 para. 3 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- Sch. 1 para. 4 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- Sch. 1 para. 5 coming into force by [2008 nawm 2 s. 28\(2\)](#)
- Sch. 2 coming into force by [2008 nawm 2 s. 28\(2\)](#)

**Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:**

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

– s. 7(3)(a)(ai) inserted by [2022 asc 1 Sch. 4 para. 23\(3\)\(b\)](#)